

TITLE 23. SPECIAL IMPROVEMENT DISTRICTS

Chapter 23.01. Brigham City Municipal Improvement District.

23.01.010. Repealer.

Any subsequent modifications are hereby repealed and of no further force or effect. Special improvement districts within the corporate limits of Brigham City shall hereafter be governed and controlled by applicable state statutes in effect at the time the specific special improvement district is created and constructed.

23.01.020. Apportionment Of Certain Expenses.

The following shall constitute the policy of Brigham City with regards to special improvement districts.

A. The maximum participation by the city in improvement districts constitutes paying for the:

1. Cross drains or culverts for storm sewer and irrigation water located within the paved area between the curbs and gutters.
2. Storm sewer facilities.
3. Any other items as required by state law.

B. Abutting property owners shall be required to extend culinary water laterals and sanitary laterals to the property line of all lots within the district prior to the paving of such districts. All public utilities providing underground service shall be required to extend connections to within the property line.

C. When included within the improvement district, irrigation facilities shall be installed in such types, sizes, and materials as recommended by the city engineer and approved by the irrigation companies, cost to be borne by those property owners benefited.

D. The cost of tree removal made necessary by a special improvement district shall be pro-rated throughout the entire improvement district.

23.01.030. Ordinary and Extraordinary Repairs Defined, Authorization and Payment.

A. Ordinary Repairs Defined. When the lineal footage of necessary repairs or replacement to any sidewalk, curb, gutter, or paving do not exceed ten percent of the total lineal footage in front of, or alongside, a piece of property, the same shall be deemed and classed as "ordinary repairs".

B. Extraordinary Repairs Defined. When the lineal footage of necessary repairs or replacement to any sidewalk, curb, gutter, or paving exceeds ten percent of the total lineal footage in front of, or alongside, a piece of property, or when a driveway approach to an establishment ordinarily used by the general public requires repairs or replacement to eliminate a condition that is hazardous to the public, as determined by the director of public works, or when a gutter overhead requires repairs or replacement to prevent interference with the normal flow of water in the gutter, the same shall be deemed and classed as "extraordinary repairs".

C. Ordinary Repairs. Authorization and Payment. Ordinary repairs may be made by the streets division, as directed by the streets superintendent, utilizing funds provided in the division's operating budget.

D. Extraordinary Repairs. Authorization and Payment. If a property owner fails to have extraordinary repairs, with the exception of repairs to paving accomplished within sixty days after receiving written notification from the director of public works that such extraordinary repairs are required, the city council may order the repairs done under contract to the lowest bidder and levy and assess a special and local tax on the property to pay for the cost of the same, waiving any procedure or protest prior to soliciting for bids to do the work. Bids shall be solicited informally from at least three qualified contractors licensed to operate in the city.